

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
PAUL RUDOLPH FOUNDATION, INC.,

Plaintiff,

-v-

PAUL RUDOLPH HERITAGE FOUNDATION and  
ERNST WAGNER,

Defendants.

CIVIL ACTION NO.: 20 Civ. 8180 (CM) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Before the Court is Defendants' request for an "order allowing the deposition of Defendant Ernst Wagner to proceed during the week of February 20, 2023[.]" (ECF No. 127 ("Defendants' Request")). Plaintiff opposes Defendants' Request, arguing, inter alia, that it would "preclude Mr. Wagner from being examined before the last week of discovery and just prior to the corporate deposition of his co-defendant," and thus "would severely prejudice Plaintiff[.]" (ECF No. 129 at 1).

Defendants' Request is GRANTED. To alleviate Plaintiff's prejudice concerns, the Court sua sponte extends the fact discovery deadline to **March 17, 2023**.

Dated: New York, New York  
February 2, 2023

SO ORDERED.

  
\_\_\_\_\_  
**SARAH L. CAVE**  
United States Magistrate Judge